

## ATTACHMENT 4

### Temporary Use Permit Findings for Extended Construction Hours

#### Crossings Campus – 8833 National Boulevard

#### Case No. P2023-0242-TUP

#### Zoning Code Temporary Use Permit Findings

Pursuant to CCMC Section 17.520.030, the City Council must determine the Temporary Use Permit (TUP) being requested is in the public's interest and make the following findings before the TUP can be approved:

- A. *The use is limited to a duration that is no more than the maximum allowed duration, as determined appropriate by the review authority.*

The proposal is to allow extended construction hours for 85 days for mass excavation, 4 days for concrete pours for the mat foundation, 30 days for concrete pours for deck pours, and 6 days for crane erection and disassemble. The extended hours are temporary and would be allowed for a maximum of 125 days as proposed.

- B. *The site is physically adequate for the type, density, and intensity of use being proposed, including provision of services (e.g. sanitation and water), public access and the absence of physical constraints.*

The project site is 4.46 acres and includes frontage on National Boulevard and a small portion of Washington Boulevard. Access to and from the project site is via National Boulevard with construction vehicles exiting also using Venice Boulevard (no construction vehicles will utilize Washinton Boulevard). It would be impractical to construct the building without use of the right-of-way given the development's limited setbacks along the National Boulevard street frontage. Utilizing the right-of-way as proposed will provide adequate space to construct the Project and will help minimize disruption of services and traffic disruptions since the duration of overall construction will be reduced as proposed under the TUP.

- C. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing land uses on site and in the vicinity of the subject property.*

The proposed construction activities are consistent with the type of construction activities that would be permissible during normal construction hours pursuant to the CCMC. The construction activities are also compatible with existing land uses in the vicinity as the activities will not adversely impact surrounding properties, pursuant to the technical studies and entitlement conditions.

- D. *The temporary use will be removed, and the site restored as necessary to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by this Title.*

The construction activities and work in the public right-of-way are temporary and intermittent in nature and are being performed in accordance with Project entitlements. The applicant is proposing to start excavation 85 workdays that will begin 2 hours early in the morning (5:00 am) and end 2 hours later (10:00 pm). In addition, the applicant is proposing 40 days of concrete pours and tower crane assembly 5 hours early in the morning (2:00 am) and end 2 hours later (10:00 pm). The Project site will be restored to an office use allowed in the site's zoning after construction is completed.

- E. *Adequate temporary parking will be provided in order to accommodate the vehicle traffic generated by the temporary use or special event either on-site or at alternate locations acceptable to the review authority.*

Project construction workers are required to park on site or at approved off site locations. Construction parking will comply with the condition during extended construction hours.

- F. *The use will comply with all applicable provisions of local, State, and Federal laws or regulations.*

The construction activity/hours will comply with the Project conditions and all applicable regulations and will not interfere or adversely impact other activities/uses surrounding the Property pursuant to the EIR and the associated technical studies.

- G. *Other pertinent factors affecting the operation of the temporary use or special event have been addressed to ensure the orderly and efficient operation of the proposed use or event, in compliance with the intent and purpose of the Temporary Use provisions of the CCMC.*

Nuisance factors such as noise, lighting, air quality and traffic impacts were considered and the increased construction hours were determined not to adversely impact surrounding areas and have less than significant impacts per CEQA. At the time of entitlement approval, conditions of approval were included in the approval. These conditions of approval will apply to the extended hours. All construction activities are required to comply with the approved Construction Management Plan. Any proposed revisions to these construction plans will require Public Works Engineering Division and the Current Planning Division approval. The City may impose additional measures including construction signage informing the public of extended construction hours, increased sound attenuation, and added traffic control construction personnel.